

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARCELINO SANDOVAL,

Plaintiff,

vs.

No. CIV 11-0938 JB/ACT

S. GALLEGOS,
CHAPLAIN K. OPATZ,

Defendants.

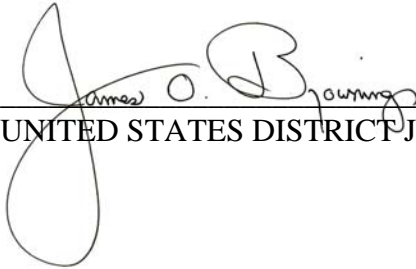
MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on Plaintiff's Motion to Clarify, filed Dec. 3, 2012 (Doc. 22). The Court, in its Memorandum Opinion and Order, filed Nov. 20, 2012 (Doc. 21), denied Plaintiff Marcelino Sandoval's Motion to Reconsider Parties to This Action, filed Apr. 19, 2012 (Doc. 16), and directed him to provide address for serving the two remaining Defendants. The Court construes the Motion to Clarify as a second motion to reconsider. In the Motion to Clarify, Sandoval raises no new allegations, but again asks the Court to reinstate his claims against certain Defendants, and he provides no addresses for serving process.

The Court will decline Sandoval's request to revisit the question of proper Defendants in this action. "[R]evisiting the issues already addressed 'is not the purpose of a motion to reconsider.'" Van Skiver v. United States, 952 F.2d 1241, 1243 (10th Cir. 1991)(quoting lower court's order). Furthermore, "[a] party should not be allowed to force a District Court to consider for a third time arguments previously made." Jetero Const. Co., Inc. v. S. Memphis Lumber Co., Inc., 531 F.2d 1348, 1352 (6th Cir. 1976)(vacating an amended judgment entered after a second motion under rule 59 of the Federal Rules of Civil Procedure). Because Sandoval raises no new

allegations, the Court will deny the motion and require Sandoval to show cause why the Court should not dismiss his Complaint for Civil Rights Violations, filed Oct. 20, 2011 (Doc. 1).

IT IS ORDERED that Plaintiff Marcelino Sandoval's Motion to Clarify, filed Dec. 3, 2012 (Doc. 22), is denied; and, within fourteen (14) days from entry of this Order, Sandoval provide addresses for serving Defendants Chaplain K. Opatz and S. Gallegos, or otherwise show cause why his Complaint should not be dismissed.



UNITED STATES DISTRICT JUDGE

Parties:

Marcelino Sandoval
Guadalupe County Correctional Facility
Santa Rosa, New Mexico

Plaintiff pro se